

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

T. CAMILLE FADIA, )  
                        )  
                        )  
Plaintiff,            )  
                        )  
                        )  
v.                     )                   1:20CV1006  
                        )  
VIJAY B. FADIA,      )  
                        )  
                        )  
Defendant.            )

ORDER

On June 21, 2022, the Recommendation of United States Magistrate Judge was filed, and notice was served on the parties pursuant to 28 U.S.C. § 636. [Docs. #37, 38.] Plaintiff filed objections to the Recommendation within the time limit prescribed by Section 636. [Doc. #39.]

The Court has made a de novo review and finds the objections do not affect the Magistrate Judge's reasoning and finding. The Court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that Defendant's "Notice of Motion and Motion to Set Aside Default, and Default Judgment, if Entered" is GRANTED to the extent entry of default entered against Vijay B. Fadia [Doc. #11] be set aside.

IT IS FURTHER ORDERED that Defendant's "(Proposed) Notice of Demurrer and Demurrer of Vijay Fadia to Plaintiff's Complaint; Memorandum of Points and Authorities in Support Thereof; Declaration of Vijay Fadia," [Doc. #14], which the Court construed as a motion to dismiss, is GRANTED, and this action is

DISMISSED.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment [Doc. #12]; Defendant's "Notice of Motion and Motion for Judgment on the Pleadings" [Doc. #19]; Plaintiff's Motion for Default Judgment to Amended Complaint" [Doc. #23]; Plaintiff's document entitled "Order to Show Cause: Urgent for Default Judgment Afdfidavit [sic] in Support" [Doc. #32]; and Plaintiff's Motion for Order to Show Cause for Motion for Default" [Doc. #33] is DENIED AS MOOT.

A Judgment dismissing this action with prejudice will be filed contemporaneously with this Order.

This the 26th day of January, 2023.

/s/ N. Carlton Tilley, Jr.  
Senior United States District Judge